

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1069

To require any person who is convicted of a State criminal offense against a victim who is a minor to register a current address with law enforcement officials of the State for ten years after release from prison, parole, or supervision.

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## IN THE SENATE OF THE UNITED STATES

MAY 28 (legislative day, APRIL 19), 1993

Mr. DURENBERGER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To require any person who is convicted of a State criminal offense against a victim who is a minor to register a current address with law enforcement officials of the State for ten years after release from prison, parole, or supervision.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Jacob Wetterling  
5 Crimes Against Children Registration Act”.

### 6   **SEC. 2. ESTABLISHMENT OF PROGRAM.**

7       (a) IN GENERAL.—

1           (1) STATE GUIDELINES.—The Attorney General  
2       shall establish guidelines for State programs requir-  
3       ing any person who is convicted of a criminal offense  
4       against a victim who is a minor to register a current  
5       address with a designated State law enforcement  
6       agency for ten years after release from prison, being  
7       placed on parole, or being placed on supervised  
8       release.

9           (2) DEFINITION.—For purposes of this sub-  
10      section, the term “criminal offense against a victim  
11      who is a minor” includes—

12           (A) kidnapping of a minor, except by a  
13      noncustodial parent;

14           (B) false imprisonment of a minor, except  
15      by a noncustodial parent;

16           (C) criminal sexual conduct toward a  
17      minor;

18           (D) solicitation of minors to engage in  
19      sexual conduct;

20           (E) use of minors in a sexual performance;  
21      or

22           (F) solicitation of minors to practice pros-  
23      titution.

24      (b) REGISTRATION REQUIREMENT UPON RELEASE,  
25      PAROLE, OR SUPERVISED RELEASE.—An approved State

1 registration program established by this section shall con-  
2 tain the following requirements:

3 (1) NOTIFICATION.—If a person who is re-  
4 quired to register under this section is released from  
5 prison, paroled, or placed on supervised release, a  
6 State prison officer shall—

7 (A) inform the person of the duty to  
8 register;

9 (B) inform the person that if the person  
10 changes residence address, the person shall give  
11 the new address to a designated State law en-  
12 forcement agency in writing within ten days;

13 (C) obtain a fingerprint card and photo-  
14 graph of the person if these have not already  
15 been obtained in connection with the offense  
16 that triggers registration; and

17 (D) require the person to read and sign a  
18 form stating that the duty of the person to reg-  
19 ister under this section has been explained.

20 (2) TRANSFER OF INFORMATION TO STATE AND  
21 THE NCIC.—The officer shall, within three days  
22 after receipt of information under paragraph (1),  
23 forward it to a designated State law enforcement  
24 agency. The State law enforcement agency shall im-  
25 mediately enter the information into the State law

1 enforcement system and National Crime Information  
2 Center computer networks and notify the appro-  
3 priate law enforcement agency having jurisdiction  
4 where the person expects to reside.

5 (3) ANNUAL VERIFICATION.—On each anniver-  
6 sary of a person's initial registration date during the  
7 period in which the person is required to register  
8 under this section, the designated State law enforce-  
9 ment agency shall mail a nonforwardable verification  
10 form to the last reported address of the person. The  
11 person shall mail the verification form to the officer  
12 within ten days after receipt of the form. The ver-  
13 ification form shall be signed by the person, and  
14 state that the person still resides at the address last  
15 reported to the designated State law enforcement  
16 agency. If the person fails to mail the verification  
17 form to the designated State law enforcement agen-  
18 cy within ten days after receipt of the form, the per-  
19 son shall be in violation of this section unless the  
20 person proves that the person has not changed his  
21 or her residence address.

22 (4) NOTIFICATION OF LOCAL LAW ENFORCE-  
23 MENT AGENCIES OF CHANGES IN ADDRESS.—Any  
24 change of address by a person required to register  
25 under this section reported to the designated State

1 law enforcement agency shall immediately be re-  
2 ported to the appropriate law enforcement agency  
3 having jurisdiction where the person is residing.

4 (c) REGISTRATION FOR TEN YEARS.—A person re-  
5 quired to register under this section shall continue to com-  
6 ply with this section until ten years have elapsed since the  
7 person was released from imprisonment, parole, or super-  
8 vised release.

9 (d) PENALTY.—A person required to register under  
10 this section who violates any requirement of a State pro-  
11 gram established by this section shall be subject to crimi-  
12 nal penalties in such State. It is the sense of Congress  
13 that such penalties should include at least six months  
14 imprisonment.

15 (e) PRIVATE DATA.—The information provided under  
16 this section is private data on individuals and may be used  
17 for law enforcement purposes, including confidential back-  
18 ground checks by child care services providers.

19 **SEC. 3. STATE COMPLIANCE.**

20 (a) COMPLIANCE DATE.—Each State shall have three  
21 years from the date of the enactment of this Act in which  
22 to implement the provisions of this Act.

23 (b) INELIGIBILITY FOR FUNDS.—The allocation of  
24 funds under section 506 of title I of the Omnibus Crime  
25 Control and Safe Streets Act of 1968 (42 U.S.C. 3756)

1 received by a State not complying with the provisions of  
2 this section three years after the date of enactment of this  
3 Act shall be reduced by 25 percent and the unallocated  
4 funds shall be reallocated to the States in compliance with  
5 this section.

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